

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51093 of 2022

Arising Out of PS. Case No.-217 Year-2016 Thana- CHAUSA District- Madhepura

NIRANJAN SINGH S/o Giro Singh Resident of Village- Kaperia, P.S.-
Chousa, District- Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 16-12-2022 The matter has been taken-up through video
conference.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offence punishable under Sections 147, 148,
149, 341, 323, 385, 387, 307, 504, 506 of the Indian Penal Code
and 27 of the Arms Act.

The prosecution case, as lodged by the informant is
that, while he was watering his field, accused persons armed
with rifle and pistol came there and demanded Rs. 50,000/- as
rangdari. They opened fire in the air and took away 50
kilograms of fish worth Rs. 5,000/- from his brother.

Learned Counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. It is submitted by learned counsel for the petitioner that allegation against the petitioner is general and omnibus in nature. It is further submitted that three co-accused persons, namely, Sanjay Singh, Akhilesh Singh and Bajrangi Singh have been granted bail by a Co-ordinate Bench of this Court *vide* order dated 12.09.2017 passed in Criminal Miscellaneous No. 33224 of 2017(Annexure-2) on 12.09.2017. The petitioner is in custody since 04.03.2022, charge-sheet has been submitted in the case and he has three antecedents.

Learned A.P.P for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate Udakishunganj, District- Madhepura in connection with Chausa P.S. Case No. 217 of 2022, subject to following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

Sankalp/-

U		T	
---	--	---	--

